

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C.**

In the Matter of:)	
)	
Request for Waiver)	
)	CC Docket No. 02-6
by)	
)	
Richmond Heights School District)	
Richmond Heights, OH)	

TO: Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

Richmond Heights School District ("Richmond Heights"), Billed Entity # 129514,
respectfully requests the Federal Communications Commission ("FCC" or "Commission")
grant it a Waiver of the FY2019 Form 471 filing deadline for FCC Form 471 Application
#191040509. This Request for Waiver is made pursuant to 54.719 through 54.723 of the
Commission's rules.¹

Contact Information: Rosa Kovacevich
Account Manager for Richmond Heights School District
Educational Funding Group, Inc.
CRN 16043587
26650 Renaissance Parkway, Suite 2
Cleveland, OH 44128
Tel. 216-831-2626
Fax: 216-831-2822
rosa.kovacevich@naa.com

¹ 47 C.F.R. §§ 54.719–54.723

STATEMENT IN SUPPORT OF WAIVER

Although certification process began prior to the close of the FY2019 filing window, due to the exceptional slowness of the EPC Portal in the last minutes, the certification of the last of Richmond Heights' four FY2019 FCC Form 471 applications was completed at 00:02:29 AM on March 28, 2019 – missing the deadline by less than 2.5 minutes.

Form 471 #191040509 was certified literally within minutes of the close of the FY2019 Window which was well within the 14 day grace period granted by the Commission in recent years, so Richmond Heights respectfully requests the Commission to grant it a Waiver of the filing deadline and allow Form 471 #191040509 considered for funding as though timely filed within the Window. Richmond Heights did its best to comply with all E-rate rules and intends no fraud, abuse or waste of program funds.

The Commission has repeatedly reiterated its authority under 47 C.F.R. §1.3 to waive rules for good cause shown and may exercise its discretion to waive a rule where the particular facts make strict compliance inconsistent with the public interest. See, *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990). Additionally, the Commission may take into account considerations of hardship, equity, or more effective implementation of overall policy on an individual basis. *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969); *Northeast Cellular*, *supra*.

Under the circumstances, a Waiver from the Commission will best serve the public interest and the interests of the students of the Richmond Heights School District. Richmond Heights' three other FY2019 Form 471 applications were timely filed, so a

filing deadline waiver is being requested only for Form 471 #191040509 for Managed
Internal Broadband Services.

Thank you for your consideration.

/s/ Linda Schreckinger Sadler, Esq.

On behalf of Educational Funding Group, Inc.
E-rate Consultant to Richmond Heights School District